

REMARKS

By this Amendment, claims 9-13 are pending and have been amended, and claims 1-8 and 14-18 have been withdrawn from consideration.

Claims 9, 10 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,925,183 to Kim in view of U.S. Patent No. 5,066,000 to Dolan. Claims 11 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kim in view of Dolan, and further in view of U.S. Patent No. 6,029,962 to Shorten et al. Applicant respectfully traverses these rejections.

Among the limitations of independent claim 9 which are neither disclosed nor suggested in the prior art of record is a belt kit for a treadmill comprising “at least two separate belts dimensioned for use on the treadmill,” “a first belt of the at least two separate belts having a first continuous, consistent surface,” “a second belt of the at least two separate belts having a second continuous, consistent surface,” wherein “the first belt and the second belt are dimensioned for direct foot contact,” and “the first belt is dimensioned to impart proprioceptive demands on the foot, ankle and lower leg different from those of the second belt.”

Neither Kim, Dolan or Shorten et al., teach or suggest such a belt kit for a treadmill. Kim is directed to a treadmill having a conventional bicycle mounted thereon. Although Kim discloses that the treadmill surface is provided with irregularities to simulate a road surface, there is no disclosure whatsoever in Kim of providing multiple belts with different surfaces.

Dolan does not remedy any of the deficiencies of Kim. Dolan is directed to a portable multi-surface track. In the system of Dolan, a plurality of track sections, each with a different surface type, are assembled to form the multi-surface track. Once assembled, the patient is guided along the multi-surface track, from different surface to different surface, to practice their walking and balance skills. See Dolan at Col. 2, lines 40-45.

Therefore, if one were to combine the teachings of Kim and Dolan, one would arrive at a treadmill for a bicycle that has a single belt with different consecutive surface types, and not at least two separate belts each having a continuous, consistent surface, and that are dimensioned for direct foot contact, as required by independent claim 9.

Shorten et al. does not remedy any of the deficiencies of Kim and/or Dolan. Shorten et al. does not teach or suggest at least two separate belts each having a continuous, consistent surface, and that are dimensioned for direct foot contact, as required by independent claim 9. As such, even if one were to combine the teachings of Kim, Dolan and/or Shorten et al., one would not arrive at the present invention as defined in independent claim 9.

Accordingly, it is respectfully submitted that independent claim 9 patentably distinguishes over the prior art for at least the above reasons.

Claims 10-13 depend directly from independent claim 9 and include all of the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 10-13 are likewise patentable.

In view of the foregoing, favorable consideration of the amendments to claims 9-13, and allowance of the present application with claims 9-13 is respectfully and earnestly solicited.

Dated: June 26, 2007

Respectfully submitted,

Electronic signature: /Richard LaCava/
Richard LaCava

Registration No.: 41,135
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant